

DT07 Rec'd PCT/PTO 24 JAN 2005

U. S. PATENT AND TRADEMARK OFFICE
U. S. DEPARTMENT OF COMMERCE

ATTORNEY'S DOCKET NUMBER

20930P

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/522280

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE
PCT/US03/23928 July 30, 2003

PRIORITY DATE CLAIMED
August 1, 2002

TITLE OF INVENTION
NOVEL PROCEDURE FOR GROWTH, IMAGING, AND ENUMERATION OF MICROBIAL COLONIES FOR SEROLOGICAL OR SCREENING ASSAYS

APPLICANT(S) FOR DO/EO/US

Michael J. Caulfield; Xu Liu; Su Wang

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected (PCT Article 31).
5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].
 - a. is attached hereto
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)].
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].
9. An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].

Items 11 to 20 below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). **EXRESS MAIL CERTIFICATE**
20. Other items or information:

DATE OF DEPOSIT JANUARY 24, 2005

EXPRESS MAIL NO. EV321988764US

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450,

ALEXANDRIA, VIRGINIA 22313-1450.

MAILED BY LJH/SC/Chenard Date Jan 24, 2005 12/30/2004

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/522280	INTERNATIONAL APPLICATION NO. PCT/US03/23928	ATTORNEY'S DOCKET NUMBER DT01 Rec'd PCT/ 24 JAN 2005
21. The following fees are submitted:		
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00 <input checked="" type="checkbox"/> b) Examination fee..... \$200.00 <input checked="" type="checkbox"/> c) Search fee \$500.00		
TOTAL OF ABOVE CALCULATIONS = \$1000.00		
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	0 /50	0 = 0
X \$250.00 \$0.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total Claims	63 - 20 =	43
Independent Claims	4 - 3 =	1
X \$50.00 \$200.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		
+ \$360.00		
TOTAL OF ABOVE CALCULATIONS (SUBTOTAL) = \$3,350.00		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		
+ \$3,350.00		
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.		
+ \$40.00		
TOTAL FEES ENCLOSED = \$3,350.00		
		Amount to be refunded:
		Amount to be charged:
<ol style="list-style-type: none"> <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$3,350.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u>. A duplicate copy of this sheet is enclosed. 		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the International Application to pending status.		
SEND ALL CORRESPONDENCE TO:		
Customer No. 000210 MERCK & CO., INC. Patent Department, RY60-30 P.O. Box 2000 126 East Lincoln Avenue Rahway, New Jersey 07065-0970		
 SIGNATURE		
Anna L. Cocuzzo NAME		
42,452 REGISTRATION NUMBER		
DATE: <u>January 24, 2005</u> PHONE #: <u>(732) 594-1273</u>		